

HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1619 of 2005 (SS)

Vijay Kumar s/o Sri Beni Ram
Station Officer, Police Station, Ranipur,
District Haridwar Petitioner

Versus

1. State of Uttaranchal
2. Senior Superintendent of Police Nainital
3. Deputy Superintendent of Police, Haldwani
..... Respondents.

Ms. Jyotshna, Advocate for the petitioner
Standing Counsel for the respondents.

Dated: 27.2.2006

Hon'ble Rajesh Tandon, J.

Heard the learned counsel for the parties at length.

By the present writ petition the petitioner has prayed for a writ of certiorari quashing the order dated 28.1.2005 passed by respondent no. 2.

Briefly stated the petitioner was posted a Nainital as Sub Inspector in the year 1992. An official residential house was allotted to him in the year 1993. According to the petitioner the house was in a bad condition and he spent a considerable amount for repairing the same. Thereafter in July 2002, the petitioner was transferred to District Haridwar. The petitioner sought permission from I.G. Head quarter for retaining the house for the next educational session, which was granted to him vide letter No. D.G.-2 418-2002 dated 21.11.02. The

respondent no. 2 passed the impugned order on January 28, 2005 and asked the petitioner to vacate the house and also directed to deduct an amount of Rs.2,17,333/- from his salary.

The petitioner has also submitted that he made a representation to the Senior Superintendent of Police, Nainital on 25.8.2005 but the same has not been considered as yet.

In view of above, respondent no. 2 is directed to decide the representation of the petitioner within two months after obtaining the certified copy of this order. The operation of the impugned order shall remain in abeyance till disposal of the representation.

Accordingly, the writ petition is disposed of. No order as to costs.

Rajesh Tandon, J.

Dated: 27.2.2006

*Dhyani